

NEWPORT BEACH HARBOR COMMISSION MINUTES
City Council Chambers
January 14, 2009

CALL TO ORDER 6:00 P.M.

PLEDGE OF ALLEGIANCE

ROLL CALL: Chairman Duffield, Commissioners Seymour Beek, John Corrough, Tim Collins, Donald Lawrenz, Karen Rhyne and Ralph Rodheim were in attendance. Staff: Lorrie Arcese, Shannon Levin and Chris Miller

MINUTES: The minutes from the last meeting were approved.

PUBLIC COMMENTS: None

ACTION ITEM:

ITEM #1

Subject: ***Oral Report from the Planning Director – David Lepo***

Summary: David reviewed the latest water related projects briefly and the progress of the Land Use Plan.

Discussion: David was thanked for his presence. The Commission expressed their concern that the much needed boating related services remain in the harbor and mixed use bayfront properties do not work. David reiterated that all water related projects are coming before Harbor Resources staff.

Public Comments: None

Action: Receive and File.

ITEM #2

Subject: ***Updates to the Rules Governing Mooring Transfers – Chris Miller***

Summary: Chris reviewed the plan and emphasized the fact that the City is not taking away the values of the moorings. We will not be discussing any fees at this meeting as they are unknown at this time. By renting out the moorings we are hoping to decrease the amount of derelict vessels.

Discussion: The Harbor Patrol has been involved in all discussions and decisions. There has been no further communications with the Grand Jury since giving them a plan of action. It was suggested that the mooring realignment be completed first. There could possibly be more clubs that own moorings than was originally thought. There are no liveaboards allowed for rentals (must own the mooring to liveaboard) because it is in the original code and there is no check of heads on rentals. This would be looked at in more depth. A question arose on why no corporation ownership which will be looked into. There could be problems with renting out moorings and wear on the tackle; the owner needs to be protected. This plan is not against the little guy, but is trying to balance the responsibility of a public harbor. This has been in the works for 3 years, with much public outreach and anyone with concerns must be willing to join that process early on if they want a voice heard. It has been a great team effort

Public Comments:

- Jim Benson thinks it stay the same, only problems are derelict boats. The Harbor Patrol prefers that you renters stay onboard. The yacht

clubs should not be treated differently as far as having more than 2 moorings. The mooring is like real estate, part of heritage, and sweeping changes should not happen. The moorings owners are good people and a part of the harbor. Hits the little guys.

- Pete Carroll is a mooring owner and cherishes it. This will hurt the little guys.
- Dan Gribble asked why the boats cannot be in a corporation name, if it is owned by one individual. Bill Moses said because it is currently in the code, not a new item in this draft.
- Gary Reasoner feels that this is an attack on the little guy. He can only afford to have a boat on a mooring, slip fees too high. The current rules have worked well. No one needs over 2 moorings.
- John Breytan wants the derelict issue addressed more deeply. He thought that boats only need to float to be seaworthy, we are really after boats to look good. Commissioner Rodheim said that there is an ordinance on the books saying what is required.
- Steve Tagarini would like a mooring but with this, it will be out his reach to buy one. Chairman Duffield said that that will not change.
- James Woodworth said that a person currently cannot loan to one of yacht clubs, but with the new one he can and doesn't know how that would work. It is not easy for a marine business to get a mooring. It is a privilege and we need to keep the cost down.
- Mark Sites expressed his feelings that this is a fair and reasonable plan. It does not hit the little man. The City had wanted to take away the right to sell the mooring from the owner, but this is a good compromise.
- Chuck South thanked everyone for their work on this and added that all questions have been addressed and studied in depth.

Action: The motion to advise Harbor Resources to re-evaluate the mooring transfer ordinance with the Mooring Master Plan Subcommittee; then bring back to the Commission at a later date. The motion carried with all ayes.

SUB-COMMITTEE REPORTS – Receive and File

- Mooring Master Plan Subcommittee – next step is to have the boundaries charted and approved by the Coast Guard and NOAA.
- Overhang Committee – The City Council will be queried to see if they feel the overhang issue should be addressed.

HARBOR RESOURCES UPDATE – Chris gave an update on the harbor. Please refer to the following website: *The update is posted at:* <http://www.city.newport-beach.ca.us/hbr> (under Harbor Resources Updates).

PUBLIC COMMENTS ON SUB-COMMITTEE REPORTS OR HARBOR RESOURCES UPDATE

- Mark Sites reminded the Commission that the RGP will be up in 1 ½ years. He brought up again that the City should rehabilitate the old dump barge for the benefit of the harbor.
- James Woodworth asked what is happening with the 15th Street dinghy docks and Chris said it is going for permits.

COMMISSIONER'S ANNOUNCEMENTS OR MATTERS TO BE PLACED ON FUTURE AGENDAS FOR DISCUSSION, ACTION OR REPORT

- Commissioner Beek said that there needs to be an ordinance to keep people out of the boat parade path to aid the Harbor Patrol in enforcement.
- Commission Rodheim said that the Commission should send a thank you letter to the Harbor Patrol and Chamber to thank them for the boat parade. He feels that the Terrible boat dock was in the way of the boat parade.
- There is a boat auction on January 30 at the Harbor Department.

RECOMMENDED TOPICS FOR FUTURE AGENDAS:

- Harbor Patrol Update
- HAMP Update.
- Marina Park Update
- Update from Anchor Environmental concerning Confined Aquatic Disposal option for Lower Bay dredging.
- Fishing at Public Docks
- Evaluate fishing at the public piers

DATE OF NEXT MEETING:

**The next meeting will be February 11, 2009
4:00 pm to 6:00 pm
City Council Chambers**

ADJOURNMENT